

## Nays—11.

Atlee.	Lloyd.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	

Absent.

Gough.	Turney.
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Absent—Excused.

Yett.

Senator Ross moved to postpone pending business and take up House bill No. 746 (local road bill for Lamar county).

Adopted by the following vote:

## Yeas—19.

Atlee.	Lloyd.
Davidson.	McGee.
Dibrell.	Odell.
Grinnan.	Patterson.
Hanger.	Ross.
James.	Sebastian.
Johnson.	Stone.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	

## Nays—9.

Burns.	Neal.
Goss.	Potter.
Greer.	Stafford.
Miller.	Terrell.
Morriss.	

Absent.

Gough.

Absent—Excused.

Yett.

The Chair laid before the Senate, on its second reading,

House bill No. 746, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith."

Pending the reading of the bill, Senator Stafford moved that the Senate adjourn until tomorrow morning at 10 o'clock.

Adopted by the following vote:

## Yeas—14.

Atlee.	Lloyd.
Davidson.	Neal.
Dibrell.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Lewis.	Sebastian.
Linn.	Stafford.

## Nays—13.

Burns.	Morriss.
Goss.	Potter.
Greer.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.
Miller.	

Absent.

Gough.	Turney.
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Absent—Excused.

Yett.

## SIXTY-SEVENTH DAY.

Senate Chamber,

Austin, Texas, Friday, April 14, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Terrell.
Linn.	Wayland.
Lloyd.	Yantis.

Absent.

Lewis.	Turney.
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Absent—Excused.

Yett.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Ross, the same was dispensed with.

## EXCUSED.

On motion of Senator Lloyd, Journal Clerk W. B. O'Quinn was excused indefinitely on account of sickness in his family.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 14, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 314, being a bill to be

entitled "An Act to amend Subdivision two (2) of Article 22, Title IV, of the Revised Civil Statutes of Texas, 1895, so as to extend the time of the terms of the district court in Nacogdoches county, and change the time of holding district courts in Angelina and Cherokee counties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

And further recommend that the bill be not printed.

DAVIDSON, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 235, being a bill to be entitled "An Act to amend Sections 7 and 137, 138, 139, 140, 141 and 142, of an act entitled 'An Act to grant a new charter to the city of El Paso,' approved March 2, 1889, and the acts amendatory thereof, relating to streets, alleys, sidewalks and other public improvements, and the levy and collection of a tax to pay therefor, and fixing the time of holding elections,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 283, being a bill to be entitled "An Act to amend Section 37, of Article 22, Title IV, Revised Civil Statutes of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, relating to the Thirty-seventh Judicial District Court and the Forty-fifth Judicial District Court of Texas in Bexar county, prescribing the jurisdiction thereof, fixing the time of holding said courts, providing for the election of the judges thereof and of the district attorney of the Thirty-seventh Judicial District, and to create the Fifty-seventh Judicial District of the State of Texas, to fix the time of holding court therein, and to prescribe the jurisdiction thereof, and to provide for the appointment of a dis-

trict judge of said Fifty-seventh Judicial District, and to prescribe the time for holding the district courts of Bexar county of the Thirty-seventh Judicial District and the Forty-fifth Judicial District, and to define the jurisdiction thereof; and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 223, being a bill to be entitled "An Act to amend Article 4445 of the Revised Civil Statutes of Texas, and to authorize railroad corporations to acquire new right of way for the purpose of shortening the line or reducing the grades,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 245, being a bill to be entitled "An Act to repeal an act to incorporate the town of Jacksonville, in Cherokee county, Texas, passed at the session of the Thirteenth Legislature,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 45, being a bill to be entitled "An Act to amend Article 4471, of Chapter 8, Title XCIV, of the Revised Civil Statutes of the State of Texas of 1895, so as to permit railroad and other corporations having right of eminent do-

main to enter upon and take possession of property sought to be condemned, pending litigation, upon the payment of security of the award of the commissioners appointed to appraise, and costs; and the deposit of money sufficient to cover additional damages that may be adjudged and the giving of a bond for future costs; and to repeal all laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 280, being a bill to be entitled "An Act to change and fix the times of holding courts in the Fifty-fourth Judicial District, and to amend an act passed at the Regular Session of the Twenty-sixth Legislature of Texas, being an act entitled 'An Act to change the times of holding courts in the Fifty-fourth Judicial District,' known as House bill 167 during its passage,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 305, being a bill to be entitled "An Act to transfer San Augustine county from the community to the district school system,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, April 13, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 180, being a bill to be entitled "An Act to create a more efficient

road system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such; and providing for the appointment of road overseers and their duties and for the working of county convicts on the public roads of such counties; and providing for the payment of officers' fees and rewards and penalties for said convicts; and to provide for the summoning of teams for road work and for an allowance for time of road service for the same; and fixing penalties for the violation of this act,"

And find the same correctly enrolled, and have this day, at 5:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

#### HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 228, A bill to be entitled "An Act ratifying and confirming an ordinance passed by the city council of the city of Galveston on the fourth day of February, 1899, entitled 'An ordinance abandoning, discontinuing and closing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering Collis P. Huntington, his heirs or assigns, perpetually to construct and maintain piers on the shore of Galveston bay within the corporate limits of the city of Galveston upon certain specified conditions,' and conditionally relinquishing any claim the State of Texas may have to part of the property therein described," with amendments.

Also House bill No. 785, A bill to be entitled "An Act to require peddlers of clocks, agricultural implements, cooking stoves or ranges, wagons, buggies, carriages, surreys and other similar vehicles, washing machines and churns, and peddlers of all other merchandise of every description to pay an annual occupation tax," with amendment.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

I am directed by the House to inform the Senate that the House has granted the request of the Senate to return House bill No. 595, to the Senate, and the same is hereby returned.

Also that the House has adopted Senate Concurrent Resolution No. 21, tendering the Daughters of the Confederacy the use of the hall of the Senate and House of Representatives at their meeting in May, 1899.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

#### IN THE SENATE.

The above House bill No. 785 was read first time, and referred to the Committee on Finance.

#### BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 444, "An Act to create a more efficient system of public roads and bridges for Liberty county, for the issuance of bonds for said county, for the purpose of constructing permanent public roads; to authorize the investment of the permanent school fund of the State and of said county in such bonds; to provide for and limit the expenditures of moneys arising from the sale of such bonds; to prescribe and define the powers and duties of the commissioners court in reference thereto, and to validate public roads heretofore laid out and established in said county."

House bill No. 459, "An Act to amend Articles 308 and 309, Chapter 4, Title V, Code of Criminal Procedure, Revised Statutes of 1895."

House bill No. 386, "An Act to repeal Section 2, Chapter 153, of the Acts of the Twenty-fifth Legislature, page 219, passed May 21, 1897, entitled 'An Act to prohibit the taking of fish from the fresh water lakes and streams of this State, otherwise than by the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in the State, and to provide penalties for the violations thereof.'"

#### BILLS AND RESOLUTIONS.

By Senator Atlee:

Senate bill No. 322, A bill to be entitled "An Act to prescribe the time of holding

the terms of the district court in the Twenty-eighth Judicial District of the State of Texas, and to limit one term of the District Court of Nueces county to the transaction of civil business only, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to the Committee on Judicial Districts.

By Senators Davidson, Morriss and Miller:

Senate bill No. 323, A bill to be entitled "An Act providing for the punishment of pools, trusts and conspiracies to control prices, and as to evidence and prosecution in such cases."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Neal:

Senate bill No. 324, A bill to be entitled "An Act to amend Article 4900, Chapter 1, of Title CI, relating to sheriffs and constables."

Read first time, and referred to Judiciary Committee No. 2.

Call concluded.

#### SPECIAL ORDER.

The Chair laid before the Senate, special order for this hour,

Substitute House bill Nos. 275 and 313. A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education, in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same."

Pending action on second reading, Senator Dibrell moved that the special order be postponed and the Senate take up, on second reading.

House bill No. 342 (the Dallas city charter bill).

Senator Stafford made the point of order that the motion was not in order inasmuch as, by previous concurrent resolution, the Senate had agreed to consider House bills only on Wednesday and Thursday of each week.

The Chair overruled the point of order, holding that the concurrent resolution adopted by both House and Senate, by which each house set apart Wednesday and Thursday of each week for the consideration of each other's bills, did not change the Senate rules as to other days; and House bill No. 342, upon adjourn-

ment Thursday having been pending, it would be pending as unfinished business on the following morning.

The vote on Senator Dibrell's motion to postpone the special order resulted as follows:

## Yeas—18.

Burns.	McGee.
Dibrell.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
Linn.	Yantis.

## Nays—10.

Atlee.	Neal.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Lloyd.	Stafford.

## Absent.

Lewis.	Turney.
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## Absent—Excused.

Yett.

The Chair declared the motion carried.

Senator Stafford made the point of order that it requires a two-thirds vote to take up a bill out of its regular order.

Senator Odell made the further point of order that in order to postpone the special order—which is in effect the regular order—would require a two-thirds vote.

The points of order were overruled, the Chair stating that the motion was not to *suspend the regular order*, but to *postpone a special order*.

Senator Stafford appealed from the ruling of the Chair.

The question was put: Shall the Chair be sustained?

Sustained by the following vote:

## Yeas—17.

Dibrell.	Morriss.
Goss.	Patterson.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.
Miller.	

## Nays—11.

Atlee.	Lloyd.
Burns.	Neal.
Davidson.	Odell.
Johnson.	Ross.
Kerr.	Stafford.
Linn.	

## Absent.

Lewis.	Turney.
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## Absent—Excused.

Yett.

The Chair announced that the hour had arrived for the Executive Session.

Senator Miller moved that the hour for the Executive Session be postponed until next Monday morning.

Upon that motion Senator Odell moved a call of the Senate.

Motion duly seconded, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Terrell.
Linn.	Wayland.
Lloyd.	Yantis.

## Absent.

Lewis.	Turney.
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## Absent—Excused.

Yett.

Senator Gough moved that the absentees be excused.

Lost by the following vote (requiring two-thirds):

## Yeas—18.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.

## Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.

## Absent.

Lewis.	Turney.
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## Absent—Excused.

Yett.

The Chair held that the action of the Senate in refusing to excuse the absentees while under call on a motion to

postpone the hour for the Executive Session, practically defeated the motion to postpone, dissolved the call, and the Senate went into Executive Session at 11:05 o'clock.

#### IN EXECUTIVE SESSION.

In executive session the following confirmations were made:

A. C. Wilmeth of Scurry county, to be District Attorney of the Thirty-ninth Judicial District.

James M. Goggin of Maverick county, to be Judge of the Forty-first Judicial District.

R. A. McReynolds, W. H. Gilliland, John Dillon, Gus Higby and A. H. Roland of Jefferson county, to be Commissioners of Pilots at the Port of Sabine Pass.

The request of the Governor for the withdrawal of the names of Robert H. Rice of Starr county and F. J. Maier of Comal county, heretofore recommended for appointment as notaries public, was granted.

#### AFTER EXECUTIVE SESSION.

Senator Stafford moved to adjourn until 3 p. m.

Upon this motion, Senator Yantis moved a call of the Senate.

Ruled out of order, the Chair holding that a call of the Senate is not in order on a motion to adjourn.

The motion to adjourn until 3 p. m. was lost by the following vote:

Yeas—11.

Atlee.	Neal.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.
Lloyd.	

Nays—14.

Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
McGee.	Wayland.
Miller.	Yantis.

Absent.

Burns.	James.
Lewis.	Turney.

Absent—Excused.

Yett.

#### PENDING BUSINESS.

The Chair laid before the Senate House bill No. 342 (the Dallas charter bill), action being on the call for the previous question made yesterday evening.

Upon the motion for the previous question, Senator Stafford moved a call of the Senate.

The motion was duly seconded, the following Senators answering to their names:

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Terrell.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	

Absent.

Turney.

Absent—Excused.

Yett.

Senator Dibrell moved to excuse the absentees on the pending bill.

Lost by the following vote:

Yeas—17.

Dibrell.	Morriss.
Goss.	Neal.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

On motion of Senator Dibrell, the President of the Senate was instructed to issue the necessary process to compel the absentees to attend the Senate.

Senator Ross moved that pending business be suspended in order to take up, on its second reading,

House bill No. 746, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor

on such public roads, and to repeal all laws in conflict herewith."

Lost by the following vote:

Yeas—15.

Atlee.	Lloyd.
Davidson.	Miller.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Johnson.	Ross.
Kerr.	Stafford.
Linn.	

Nays—10.

Greer.	Morriss.
Grinnan.	Potter.
Hanger.	Stone.
James.	Terrell.
McGee.	Yantis.

Present—Not voting.

Wayland.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

On motion of Senator Ross, House bill No. 746 (see above) was laid on the table subject to call.

On motion of Senator Lloyd, the regular order of business was suspended to take up, on its third reading,

Senate bill No. 290, A bill to be entitled "An Act to amend Article 4968 (4584), Title CII, Chapter 4, of the Revised Statutes of 1895 relating to estrays."

The bill was read a third time, and passed.

Senator Linn moved to adjourn until 4 o'clock p. m.

Lost by the following vote:

Yeas—10.

Atlee.	Neal.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.

Nays—17.

Dibrell.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
Lloyd.	Yantis.
McGee.	

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

Senator Yantis moved that the absentees be excused on the Dallas charter bill.

Lost by the following vote:

Yeas—17.

Dibrell.	Morriss.
Goss.	Neal.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

On motion of Senator Goss the regular order of business was suspended to take up, on second reading,

Senate bill No. 316, A bill to be entitled "An Act to amend Article 4218y, of Chapter 129, Acts of 1897, and providing for the sale of State school lands in counties organized prior to January 1, 1877, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read a second time.

By Senator Goss:

"Amend by inserting before the word 'Pecos,' in line 20, the words 'Kimble, Tom Green.'"

Adopted.

By Senator Goss:

"Amend caption by inserting after '1877' the words 'except the counties of Kimble, Tom Green, Pecos, Presidio and El Paso.'"

Adopted.

Pending further consideration, Senator Grinnan moved that the bill be postponed until next Monday morning.

Lost.

By Senator Goss:

"Amend by inserting after the word 'acre,' in line 22, the words 'not more than four sections to one purchaser.'"

Adopted.

On motion of Senator Davidson, the bill was laid on the table subject to call.

## MOTION CALLED UP.

Senator Dibrell called up the motion of Senator Davidson entered on April 12th, to reconsider the vote by which

House bill No. 595, A bill to be entitled "An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Wharton, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Bexar, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Dallas, Austin and Brazos," was finally passed.

Reconsidered.

By Senator Dibrell:

"Amend the bill by striking out the word 'Bexar' wherever it occurs in the bill and in the caption."

Adopted.

By Senator Hanger:

"Amend by inserting in the caption and the bill the word 'Tarrant' after the word 'Hunt' wherever it occurs."

Adopted.

(Senator Potter in the chair.)

The bill as amended was passed.

Senator Hanger called up

Senate bill No. 83, A bill to be entitled "An Act to amend Articles 5157 and 5159, of the Revised Civil Statutes of the State of Texas, relating to the bonds of tax collectors."

The bill was read a third time, and passed.

## REGULAR ORDER.

The Chair laid before the Senate

Senate bill No. 118, A bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroad to any person other than the agents, representatives, employees or attorneys of such railroads, and to fix a penalty for the violation of the provisions of this act," action being on engrossment.

On motion of Senator Miller, the regular order of business was suspended to take up, on second reading,

Senate bill No. 317, A bill to be entitled "An Act to amend Article 4323, Revised Civil Statutes of the State of Texas, relating to the salary of the State Health Officer."

By Senator Lloyd:

"Amend lines 13 and 14 by striking out '\$3500' and insert '\$3000.'"

(Lieutenant-Governor Browning in the chair.)

The amendment was lost by the following vote:

## Yeas—11.

Davidson.  
Dibrell.  
Grinnan.  
James.  
Kerr.  
Lloyd.

McGee.  
Potter.  
Terrell.  
Wayland.  
Yantis.

## Nays—15.

Atlee.  
Goss.  
Gough.  
Greer.  
Hanger.  
Johnson.  
Linn.  
Miller.

Morriss.  
Neal.  
Odell.  
Patterson.  
Ross.  
Stafford.  
Stone.

## Absent.

Burns.  
Lewis.

Sebastian.  
Turney.

## Absent—Excused.

Yett.

Upon motion of Senator Greer, the Senate took a recess for twenty minutes.

## AFTER RECESS.

The Senate was called to order by Lieutenant-Governor Browning, when, upon motion of Senator Miller, recess was again taken for thirty minutes.

## AFTER RECESS (2).

Senate called to order pursuant to adjournment by Lieutenant-Governor Browning.

Senator Terrell moved that the absentees be excused on the Dallas city charter bill.

Senator Odell moved to adjourn until 10 o'clock tomorrow morning.

Lost by the following vote:

## Yeas—10.

Atlee.  
Davidson.  
Johnson.  
Kerr.  
Linn.

Neal.  
Odell.  
Patterson.  
Ross.  
Stafford.

## Nays—17.

Dibrell.  
Goss.  
Gough.  
Greer.  
Grinnan.  
Hanger.  
James.  
Lloyd.  
McGee.

Miller.  
Morriss.  
Potter.  
Sebastian.  
Stone.  
Terrell.  
Wayland.  
Yantis.

## Absent.

Burns.  
Lewis.

Turney.

## Absent—Excused.

Yett.



(Senator Gough in the chair.)

Question recurring on the motion of Senator Terrell to excuse the absentees, the same was lost by the following vote:

Yeas—17.

Dibrell.	Morriss.
Goss.	Neal.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Wayland.
McGee.	Yantis.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Johnson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

#### PENDING BUSINESS.

The Senate resumed consideration of Senate bill No. 317 (see above), action being on engrossment.

The bill was ordered engrossed.

On motion of Senator Patterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Wayland.
Linn.	

Nays—4.

Lloyd.	Terrell.
McGee.	Yantis.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.	Linn.
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Patterson.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Wayland.

Nays—5.

Lloyd.	Terrell.
McGee.	Yantis.
Potter.	

Absent.

Lewis.	Turney.
Burns.	Yett.

Senator Patterson moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

Senator Ross called up

House bill No. 746, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith," action being on passage to a third reading.

The bill was read a second time, and passed to a third reading.

On motion of Senator Ross, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	

Nays—1.

Miller.

Absent.

Burns.	Turney.
Lewis.	Yett.
McGee.	

The bill was read a third time, and passed by the following vote:

Yeas—25.

Atlee.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Terrell.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	

Nays—1.

Miller.

Absent.

Burns.	Turney.
Davidson.	Yett.
Lewis.	

On motion of Senator Davidson the Senate "went at ease" for ten minutes.

After ten minutes had elapsed, Senator Gough called the Senate to order.

By unanimous consent, the following committee reports were sent up:

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, April 11, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 282, being a bill to be entitled "An Act to appropriate \$100,000 to pay the officers and men of the Texas Volunteers prior to the inmustering into the service of the United States in the late war with Spain; to pay those who were rejected; to pay for the necessary supplies, subsistence and transportation prior to their being mustered into service; to authorize the Governor to collect from the United States all monies expended under this act,"

And find the same correctly engrossed.  
JAMES, Chairman.

Committee Room,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 321, being a bill to be entitled "An Act to repeal an act entitled 'An Act to incorporate the town of San

Patricio, in the county of San Patricio," approved February 7, 1853,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

MILLER, Chairman.

Committee Room,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 775, being a bill to be entitled "An Act to change and fix the time of holding court in the Thirty-ninth Judicial District of the State of Texas, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DAVIDSON, Chairman.

Committee Room,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 762, being a bill to be entitled "An Act to amend Section 1, of an act passed by the Twenty-sixth Legislature of the State of Texas, and which went into effect on the 22nd day of March, 1899, entitled 'An Act to amend Subdivision 29, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, so as to change the times of holding the district court in the Twenty-ninth Judicial District, except in Coryell county, and to extend the time of holding the court in the county of Erath,'" "

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DAVIDSON, Chairman.

Committee Room,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 322, being a bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the Twenty-eighth Judicial District of the State of Texas, and to limit one term of the District Court of Nueces county to the transaction of civil business only, and

to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and recommend that the bill be not printed.

DAVIDSON, Chairman.

Committee Room,  
Austin, Texas, April 14, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 618, being a bill to be entitled "An Act to define the powers and duties of the Courts of Civil Appeals of the several supreme judicial districts of the State of Texas, where there is, or may be, a conflict of opinion by any of the said Courts of Civil Appeals on a question of law involved in any cause pending before said courts; and prescribing the duties of the Supreme Court of the State of Texas in such cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

ATLEE, Chairman.

On motion of Senator Greer the regular order of business was suspended to take up, on second reading,

Senate bill No. 314, A bill to be entitled "An Act to incorporate the city of Beaumont, to grant it a special charter, and to fix its boundaries."

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its second reading by the following vote:

Yeas—24.

Atlee.	Lloyd.
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Patterson.
Grinnan.	Potter.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Wayland.
Linn.	Yantis.

Nays—2.

McGee. Ross.

Absent.

Burns. Sebastian.  
Lewis. Turney.

Absent—Excused.

Yett.

The bill was read a second time, and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	

Nays—2.

McGee. Ross.

Present—Not voting.

Sebastian.

Absent.

Burns. Lewis.  
Johnson. Turney.

Absent—Excused.

Yett.

The bill was read a third time, and passed by the following vote:

Yeas—23.

Atlee.	McGee.
Davidson.	Miller.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Wayland.
Linn.	Yantis.
Lloyd.	

Nays—1.

Ross.

Present—Not voting.

Sebastian.

Absent.

Burns. Morriss.  
Johnson. Turney.  
Lewis.

Absent—Excused.

Yett.

On motion of Senator Lloyd, the regular order of business was suspended to take up, on second reading,

Substitute Senate bill No. 220, A bill to be entitled "An Act to punish any

person who shall knowingly purchase for another or sell any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication."

The bill was read a second time, and ordered engrossed.

(Lieutenant-Governor Browning in the chair.)

On motion of Senator Lloyd, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Morriss.
Davidson.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Linn.	Terrell.
Lloyd.	Wayland.
McGee.	Yantis.
Miller.	

Nays—2.

Dibrell.	Johnson.
	Present—Not voting.
Kerr.	Sebastian.
	Absent.
Burns.	Turney.
Lewis.	
	Absent—Excused.

Yett.

The bill was read a third time, and passed by the following vote:

Yeas—23.

Atlee.	Morriss.
Davidson.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Lloyd.	Wayland.
McGee.	Yantis.
Miller.	

Nays—2.

Dibrell.	Kerr.
	Present—Not voting.
Sebastian.	
	Absent.
Burns.	Linn.
Lewis.	Turney.
	Absent—Excused.
Yett.	

Senator Atlee moved to postpone pending business and take up

Senate bill No. 321, A bill to be entitled "An Act to repeal 'An Act to incorporate the town of San Patricio, in the county of San Patricio,' approved February 7, 1853."

The motion prevailed by the following vote:

Yeas—20.

Atlee.	Lloyd.
Davidson.	McGee.
Dibrell.	Morriss.
Goss.	Neal.
Greer.	Odell.
Grinnan.	Ross.
Hanger.	Sebastian.
Johnson.	Stafford.
Kerr.	Stone.
Linn.	Wayland.

Nays—6.

Gough.	Potter.
James.	Terrell.
Miller.	Yantis.

Present—Not voting.

Patterson.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

The Chair laid before the Senate Senate bill No. 321, action being on second reading.

The bill was read a second time (in full at request of Senator Johnson).

By Senator Atlee:

"Section 2. The near approach of the close of the present session of the Legislature, and the crowded condition of the calendar, creates an emergency and an imperative public necessity exists requiring the suspension of the constitutional rule that bills be read three several days, and the said rule is suspended, and this act shall take effect and be in force from and after its passage."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Grinnan.
Davidson.	Hanger.
Dibrell.	James.
Goss.	Johnson.
Gough.	Kerr.
Greer.	Linn.

Lloyd.	Ross.
Miller.	Stafford.
Morriss.	Stone.
Neal.	Terrell.
Odell.	Wayland.
Patterson.	Yantis.
Potter.	

Present—Not voting.

McGee.	Sebastian.
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Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Wayland.
Linn.	Yantis.

Present—Not voting.

McGee.	Sebastian.
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Absent.

Burns.	Lloyd.
Lewis.	Turney.

Absent—Excused.

Yett.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on third reading,

Senate bill No. 221, A bill to be entitled "An Act to amend Article 3071, of Chapter 3, Title 58, of the Revised Civil Statutes of the State of Texas, relating to insurance."

The bill was read a third time (in full at the request of Senator Yantis), and passed.

Senator Davidson called up

Substitute Senate House bill 176, A bill to be entitled "An Act to regulate the terms and fix the times for holding the district courts in the Twenty-third Judicial of Texas, and to repeal all laws and parts of laws in conflict with this act," action being on engrossment.

By Senator Davidson:

"Amend the Senate Substitute for House bill No 176 by striking out all of Section 1 after the word 'follows,' in line

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17, on page 3, and insert in lieu thereof the following:

"1st. In the county of Matagorda on the first Monday in January and the third Monday in July of each year, and may continue in session two weeks."

"2nd. In the county of Jackson on the second Monday after the first Monday in January and the third Monday in July of each year, and may continue in session three weeks."

"3rd. In the county of Waller on the fifth Monday after the first Monday in January and the third Monday in July of each year, and may continue in session four weeks."

"In the county of Fort Bend on the ninth Monday after the first Monday in January and third Monday in July of each year, and may continue in session five weeks."

"5th. In the county of Wharton on the fourteenth Monday after the first Monday in January and third Monday in July of each year, and may continue in session four weeks."

"6th. In the county of Brazoria on the eighteenth Monday after the first Monday in January and third Monday in July of each year, and may continue in session six weeks."

Adopted.

The bill as amended was ordered engrossed.

#### RESOLUTION.

By unanimous consent, Senator Dibrell introduced the following resolution:

By Senator Dibrell:

For the purpose of securing the attendance of all the absent Senators, be it Resolved, That the President of the Senate be and he is hereby authorized and requested to wire warrants of arrest to the several sheriffs of the counties of the residence of such officers to arrest and produce before the Senate immediately such absentees.

By Senator Stafford:

"Amend the resolution by adding thereto the following: 'Provided, the city of Dallas agrees to pay all expenses incident thereto.'"

Ruled out of order.

The resolution was read a second time, and adopted.

On motion of Senator Miller, the regular order of business was suspended to take up, on third reading,

Substitute House bill Nos. 275 and 313, A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of

the Board of Education in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same," action being on the following amendments, offered on April 11, to wit:

"By Senator Miller:

"Amend Substitute House bill Nos. 275 and 313 by striking out all after the word "State" in line 32, page 1, down to the end of the section, and by striking out "incorporated city" wherever it occurs in the bill."

"By Senator Dibrell:

"Substitute the amendment as follows:

"Amend the bill by adding after the word "city" wherever it occurs in the bill the following: "Of over ten thousand inhabitants."'"

By unanimous consent, Senator Miller withdrew his amendment.

By unanimous consent, Senator Dibrell withdrew his substitute for the amendment.

The bill was read a third time.

By Senator Hanger:

"Amend by striking out the words 'incorporated cities' wherever it occurs in the caption and the bill."

Lost by the following vote:

Yeas—8.

Davidson.	Johnson.
Dibrell.	Linn.
Goss.	Patterson.
Hanger.	Ross.

Nays—18.

Atlee.	Morriss.
Gough.	Neal.
Greer.	Odell.
Grinnan.	Potter.
James.	Stafford.
Kerr.	Stone.
Lloyd.	Terrell.
McGee.	Wayland.
Miller.	Yantis.

Absent.

Burns.	Turney.
Lewis.	

Absent—Excused.

Yett.

By Senator Davidson:

"Amend by striking out the enacting clause."

(Pending discussion, Senator Goss in the chair.)

The amendment (Davidson's) was lost by the following vote:

Yeas—4.

Davidson.	Kerr.
Hanger.	Patterson.

Nays—18.

Atlee.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Potter.
Greer.	Stafford.
James.	Stone.
Lloyd.	Terrell.
McGee.	Wayland.
Miller.	Yantis.

Present—Not voting.

Sebastian.

Absent.

Burns.	Linn.
Grinnan.	Ross.
Johnson.	Turney.
Lewis.	

Absent—Excused.

Yett.

By Senator Hanger:

"Amend by striking out all in line 32, page 1, after the word 'State,' and down to and including the word 'securities,' in lines 1 and 2, on page 2."

Pending discussion,

On motion of Senator Greer, business was suspended for ten minutes.

At the expiration of ten minutes, Lieutenant-Governor Browning called the Senate to order.

By unanimous consent, the President excused Senator Sebastian on account of sickness.

## RESOLUTION.

By unanimous consent, Senator Patterson introduced the following resolution:

By Senator Patterson:

Resolved, That the Senate take a recess until tomorrow morning at 10 o'clock a. m., and that the call of the Senate be not suspended, and that each Senator be paroled until that time upon his honor.

Adopted by the following vote:

Yeas—22.

Atlee.	Kerr.
Davidson.	Linn.
Dibrell.	Lloyd.
Goss.	McGee.
Greer.	Morriss.
Grinnan.	Neal.
Hanger.	Odell.
James.	Patterson.
Johnson.	Potter.

Ross. Wayland.  
Stone. Yantis.

Nays—3.

Gough. Terrell.  
Stafford.

Present—Not voting.

Miller.

Absent.

Burns. Turney.  
Lewis.

Absent—Excused.

Sebastian. Yett.

### SIXTY-SEVENTH DAY.

(Continued.)

Senate Chamber,  
Austin, Texas, Saturday, April 15, 1899.

Senate met pursuant to adjournment.  
Lieutenant-Governor Browning in the chair.

(When the Senate took recess yesterday evening at 7 o'clock it did so under the following resolution:

That the Senate take a recess until tomorrow morning at 10 o'clock a. m., and that the call of the Senate be not suspended, and that each Senator be paroled until that time upon his honor.

This dispensed with the opening ceremonies—making today a continuation of yesterday's session—the Senate remaining under call on the Dallas charter bill.  
—JOURNAL CLERK.)

### PENDING BUSINESS.

The Chair laid before the Senate, upon its second reading,

Substitute House bill Nos. 275 and 313, A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same," action being on the following amendments offered on April 11, to wit:

Action being on the amendment of Senator Hanger, to wit:

"Amend by striking out all in line 32, page 1, after the word 'State' and down to and including the word 'securities' in lines 1 and 2, page 2."

The amendment was lost by the following vote:

Yeas—4.

Davidson. Kerr.  
Hanger. Patterson.

Nays—22.

Atlee. Morriss.  
Burns. Neal.  
Dibrell. Odell.  
Goss. Potter.  
Gough. Ross.  
Greer. Stafford.  
Grinnan. Stone.  
James. Terrell.  
Lloyd. Turney.  
McGee. Wayland.  
Miller. Yantis.

Absent.

Lewis. Sebastian.  
Linn.

Absent—Excused.

Yett.

The bill was passed to a third reading by the following vote:

Yeas—23.

Atlee. Morriss.  
Burns. Neal.  
Dibrell. Odell.  
Goss. Potter.  
Gough. Ross.  
Greer. Stafford.  
Grinnan. Stone.  
James. Terrell.  
Kerr. Turney.  
Lloyd. Wayland.  
McGee. Yantis.  
Miller.

Nays—5.

Davidson. Linn.  
Hanger. Patterson.  
Johnson.

Absent.

Lewis. Sebastian.

Absent—Excused.

Yett.

On motion of Senator Potter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Atlee. Kerr.  
Burns. Linn.  
Dibrell. Lloyd.  
Goss. Miller.  
Gough. Morriss.  
Greer. Neal.  
Grinnan. Odell.  
James. Potter.